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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.856 OF 1999

Universal Capsules Ltd.).. Plaintiffs

Versus

M/s.Merit Organics Ltd.).. Defendants

Mr.Vikrant C. Deshpande for the Plaintiffs.

None present for the Defendants.

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **3RD APRIL 2006**

P.C.:

. This Summary Suit has been filed for recovery of an amount of Rs.1,35,997.39 along with further interest. The Suit has been filed for non-payment of the sum of Rs.98,561.60 on account of goods sold and delivered. The goods were sold during the period from 5th May 1996 to 31st October 1996. The Plaintiff has produced original invoices in respect of the goods sold and delivered. These relate to the period 5th May 1996 to 31st October 1996. The Plaintiff had called upon the Defendants by their letter dated 27th January 1998 to make payment of amounts due. It appears that the Summons for Judgement was taken out, when nobody appeared on behalf of the Defendants, although the Defendants were served by way of publication.

2. Nobody is present today on behalf of the Defendants. In fact, no appearance has been filed on behalf of the Defendants. No defence has been put up by the Defendants.

3. The original documents produced by the Plaintiff substantiate the claim of the Plaintiff. Hence, decree as prayed for.

4. Refund of Court fees as per Rules.